

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney Eschweiler (Registration No. 36981) on 11/2/2009.

In the claims:

(I) In claim 2 :

(i) line 1, change "The system" to -- The computer readable storage medium --;

(II) In claim 4 :

(i) line 1, change "The system" to -- The computer readable storage medium --;

(I) In claim 5 :

(i) line 1, change "The system" to -- The computer readable storage medium --;

(I) In claim 6 :

(i) line 1, change "The system" to -- The computer readable storage medium --;

(I) In claim 7 :

(i) line 1, change "The system" to - - The computer readable storage medium - - ;

(I) In claim 8 :

(i) line 1, change "the system" to - - The computer readable storage medium - - ;

(I) In claim 9 :

(i) line 1, change "The system" to - - The computer readable storage medium - - ;

(I) In claim 10 :

(i) line 1, change "The system" to - - The computer readable storage medium - - ;

(I) In claim 11 :

(i) line 1, change "The system" to - - The computer readable storage medium - - ;

(I) In claim 12 :

(i) line 1, change "the system" to - - The computer readable storage medium - - ;

(I) In claim 13 :

(i) line 1, change "The system" to - - The computer readable storage medium - - .

3. The following is an examiner's statement of reasons for allowance:

As to claims 1, 20 the prior art taught by Wilkinson (US 7032227 B2) in view of Black (US 5684962 A) in view of Lin (US 6775832 B1) and further in view of Narisi (US 6233619 B1) do not teach or render obvious the limitations recited in claims 1, 20 , when taken in the context of the claims as a whole, communication among a layered network device driver system that interfaces with a computing system comprising an operating system, an operating system dependent module, an operating system independent module, a network device independent module, and a network device dependent module; an operating system independent module in the network device driver system configured to communicate with the operating system dependent module; wherein the network device independent module is operable to selectively append the transmit or receive data with optional parameters; and wherein the network device dependent module is operable to verify that the optional parameters comply with capabilities of the network device; identifying any logically contiguous data buffers associated with the virtual memory addresses of the array based data structure that store the packet, and replacing virtual pointers associated with the identified logically contiguous data buffers with a single physical pointer; memory address; attaching the one or more data buffers to a transmit descriptor by storing one or more physical pointers associated with the one or more buffers and control information associated with the packet in a transmit descriptor ring associated with the transmit descriptor; attaching optional information to the transmit descriptor by an operating system independent module by storing the optional information in the transmit

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descriptor ring; transmitting the packet by a network device by retrieving data from the one or more buffers using the one or more physical pointers within the transmit descriptor ring as recited in the independent claims 1, 20 . Moreover, evidence for modifying the prior art teachings by one of ordinary skill level in the art was not uncovered so as to result in the invention as recited in claims 1, 20 .

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sough Hyung can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/LeChi Truong/

Primary Examiner, Art Unit 2194

LeChi Truong

November 19, 2009